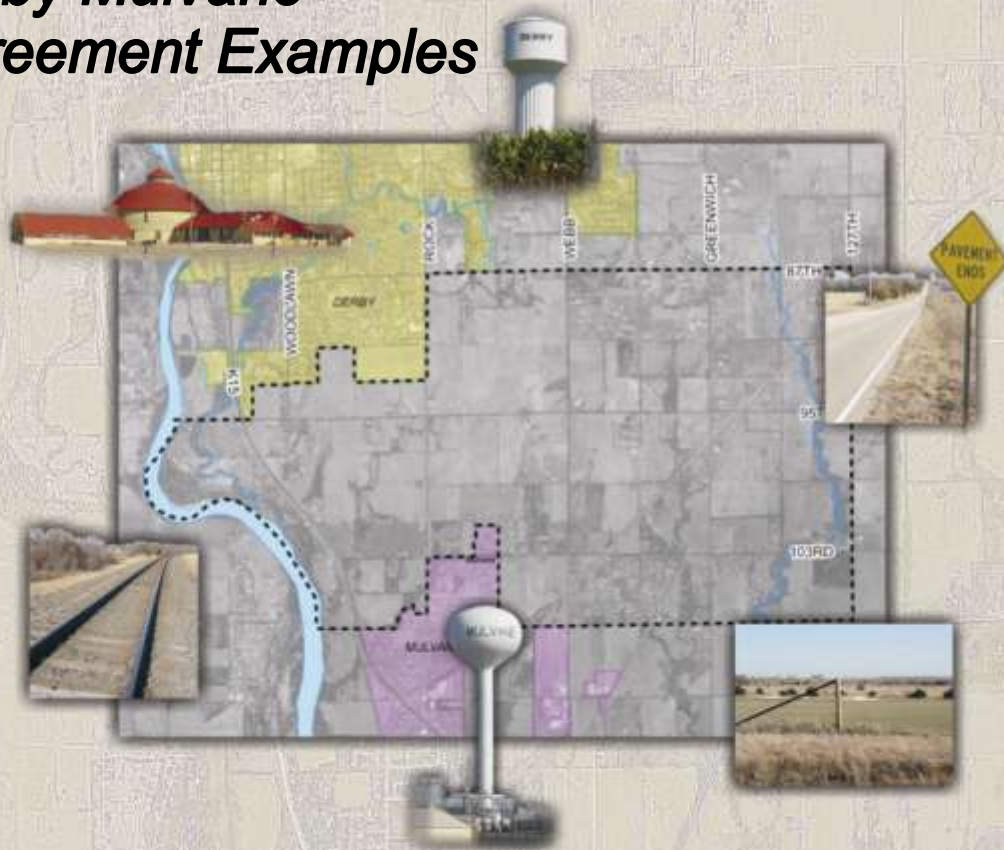


DERBY-MULVANE JOINT AREA PLAN

APPENDIX E: Derby Mulvane Agreement Examples

2010-2030



MAY 2010



Description

It is recommended that the Derby and Mulvane city councils endorse the following written agreement identifying future municipal boundaries for a limited duration of time.

ANNEXATION BOUNDARY AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____, 2010, by and between the City of Mulvane and the City of Derby:

WITNESSETH: That

WHEREAS, the City of Mulvane and the City of Derby are both cities of the second class, located in Sedgwick County, Kansas; and

WHEREAS, the two cities of Mulvane and Derby recognize the need and benefit to establishing an annexation boundary between the two cities consistent with their ability to provide municipal water and sewer service to areas within said annexation boundary.

NOW, THEREFORE, IT IS MUTUALLY AGREED

1. That a logical and agreeable annexation boundary would be:
[Legal description of 95th Street South from Woodlawn east to 127th Street East]
2. This agreement shall be mutually respected and honored by both parties for a period of five (5) years from the date of signing at which time its value and effect shall be reviewed.
3. Both parties agree that when both cities are adjacent to a common public roadway that the city having jurisdiction of the roadway would not prevent the city not having jurisdiction the ability to service lands within its corporate limits adjacent to the roadway.
4. If either city is approached for services in the other city's area, that city would notify the other city of the request and engage in dialogue about the costs, timing, and feasibility of providing services by each city, taking into consideration the costs and benefits to the property owner as well as the best interests of the cities. If the two cities determine that the above stated annexation boundary is no longer applicable to the matter under consideration, they would enter into an agreement about providing municipal services across the annexation boundary or would update the Annexation Boundary Agreement accordingly.

CITY OF MULVANE, KANSAS

Jim Ford, Mayor

ATTEST: _____
_____, City Clerk

CITY OF DERBY, KANSAS

Dion Avello, Mayor

ATTEST: _____
Jean Epperson, City Clerk

DRAFT